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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,962	03/22/2001	Ikuko Tachibana	1614.1148/HJS	2846

21171 7590 03/31/2005

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EXAMINER	
FAROOQ, MOHAMMAD O	
ART UNIT	**PAPER NUMBER**
2182	

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/813,962	TACHIBANA ET AL.	
	Examiner	Art Unit	
	Mohammad O. Farooq	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,8-11 and 14-17* is/are rejected.

7)☒ Claim(s) *6,7,12 and 13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 2,3,5,8-11 and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Sitaraman et al., U.S. Pat. No. 6,427,170 B1.

2. As to claim 2, Sitaraman et al. teach apparatus comprising:

an obtaining part which obtains configuration information of hardware and software of terminals sent from said terminal (i.e. user information; col. 9, lines 57-67);

a storing part which stores the newest configuration information of hardware and software of each terminal obtained by said obtaining part (col. 9, lines 48-67);

a generation part which identifies terminals to which resources are distributed (i.e. published) on the basis of said resources (e.g. IP addresses) and configuration information of hardware and software stored in said storing part, and generates a list describing correspondence between said resources and said terminals to which said resources are distributed (col. 19, lines 3-62); and

a distribution part which distributes said resources described in said list to said terminals described in said list (col. 19. lines 3-62).

3. As to claim 3, Sitaraman et al. teach apparatus wherein said distribution part sends a part pertinent to a terminal in said list to said terminal (col. 19, lines 38-42).

4. As to claim 5, Sitaraman et al. teach apparatus further comprising:

an issuing part which issues, to a terminal, an instruction for said terminal to send configuration information when a configuration information ID sent from said terminal is not the same as the newest configuration information ID which is stored in said storing part (i.e. receives latest information; col. 19, lines 30-41); and

wherein said first obtaining part obtains configuration information sent in response to said instruction (col. 9, lines 48-67).

5. As to claim 8, Sitaraman et al. teach apparatus comprising:

an input part which inputs user information (col. 12, lines 1-13) ;

a collection part which collects apparatus information of said terminal and configuration information of hardware and software of said terminal when said input part inputs said user information (col. 9, lines 23-56; col. 11, lines 30-67); and

a send part which sends said apparatus information and said configuration information of hardware and software, and said user information to said remote maintenance apparatus while maintaining correspondences of said apparatus information, said configuration information of hardware and software and said user information (col. 19, lines 3-62; col. 11, lines 30-67).

6. As to claim 9, Sitaraman et al. teach wherein said collection part collects changed configuration information when a configuration of said terminal is changed (i.e. revoke events; col. 9, lines 23-56); and

said send part sends said changed configuration information to said remote maintenance apparatus while bringing said configuration information into correspondence with said apparatus information (col. 9, lines 23-56).

7. As to claim 10, Sitaraman et al. teach wherein said collection part collects configuration information when a configuration information ID stored (e.g. IP addresses) in said terminal is not the same as a configuration information ID stored in said remote maintenance apparatus (i.e. receives latest information; col. 19, lines 30-41); and

said send part sends said configuration information collected at this time to said remote maintenance apparatus while bringing said configuration information into correspondence with said apparatus information (col. 19, lines 1-62).

8. As to claim 11, Sitaraman et al. teach apparatus comprising:

an obtaining part which obtains configuration information of hardware and software distributed from said remote maintenance apparatus (i.e. user information; col. 9, lines 57-67);

a setting part which sets said software in an application waiting state (via a timer; col. 19, lines 22-33) or in an immediate execution state (i.e. log-out state; col. 19, lines 1-6); and

a control part which executes said software when conditions for releasing said application waiting state are satisfied or when said software is set in said immediate execution state (col. 19, lines 22-33; col. 19, lines 1-12).

9. As to claim 15, Sitaraman et al. teach computer readable medium used for maintanence of terminals connected to a network, by:

obtaining configuration information of hardware and software of terminals sent from said terminals (i.e. user information; col. 9, lines 57-67);

accessing a storing part which stores the newest configuration information of hardware and software of each terminal obtained by said obtaining (col. 9, lines 48-67);

identifying terminals to which resources are distributed (i.e. published) on the basis of said resources (e.g. IP addresses) and configuration information of hardware and software stored in said storing part, and generating a list describing correspondence between said resources and said terminals to which said resources are distributed (col. 19, lines 3-62); and

distributing said resources described in said list to said terminals described in said list (col. 19. lines 3-62).

10. As to claim 16, Sitaraman et al. teach computer readable medium controlling a computer via a network, by:

inputting user information (col. 12, lines 1-13) ;

collecting apparatus information of said terminal and configuration information of hardware and software of said terminal when said inputting said user information (col. 9, lines 23-56; col. 11, lines 30-67); and

a sending said apparatus information and said configuration information of hardware and software, and said user information to said remote maintenance apparatus while maintaining correspondences of said apparatus information, said configuration information of hardware and software and said user information (col. 19, lines 3-62; col. 11, lines 30-67).

11. As to claim 17, Sitaraman et al. teach computer readable medium controlling a computer via a network, by:

obtaining configuration information of hardware and software distributed from said remote maintenance apparatus (i.e. user information; col. 9, lines 57-67);

setting said configuration information of hardware and software in an application waiting state (via a timer; col. 19, lines 22-33) or in an immediate execution state (i.e. log-out state; col. 19, lines 1-6);

executing said configuration information of hardware and software when conditions for releasing said application waiting state are satisfied or when said software is set in said immediate execution state (col. 19, lines 22-33; col. 19, lines 1-12).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 1, 4, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sitaraman et al., U.S. Pat. No. 6,427,170 B1, in view of Opoczynski, U.S. Pat. No. 5,655,068 further in view of Tonelli et al., U.S. Pat. No. 6,229,540 B1.

13. As to claim 1, Sitaraman et al. teach apparatus comprising:

a first obtaining part which obtains configuration information of hardware and software of terminals sent from said terminal (i.e. user information; col. 9, lines 57-67); and

a storing part which stores said configuration information of hardware and software obtained by said first obtaining part while bringing said configuration information of hardware and software into correspondence with generation information (i.e. database for the system; col. 9, lines 48-67).

Sitaraman et al. do not teach a second obtaining part which obtains configuration information of hardware and software of a failed terminal which is associated with failure information which is sent from said failed terminal, or, which obtains configuration information of hardware and software of said failed terminal by identifying the newest configuration information of hardware and software of said failed terminal which is stored in said storing part. Opoczynski teachs a second obtaining part which obtains configuration information of hardware and software of a failed terminal which is associated with failure information which is sent from said failed terminal, or, which obtains configuration information of hardware and software of said failed terminal by identifying the newest configuration information of hardware and software of said failed terminal which is stored in said storing part (abstract; col. 4, line 44 – col. 5, line 5). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Sitaraman et al. and Opoczynski because that would initiate facility and maintenance procedures (col. 2, lines 40-58).

Neither Sitaraman et al. nor Opoczynski teach an extraction part which extracts difference information between configuration information obtained by said second obtaining part and configuration information stored in said storing part. Tonelli et al. teach an extraction part which extracts difference information between configuration information obtained by said second obtaining part and configuration information stored in said storing part (col. 22, lines 8-29; col. 4, lines 28-45). However, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Sitaraman et al. and Opoczynski with Tonelli et al. because that would provide addition or removal of information from configurations for design purpose (col. 2, lines 50-59).

14. As to claim 4, Sitaraman et al. teach apparatus further comprising:

an issuing part which issues, to a terminal, an instruction for said terminal to send configuration information when a configuration information ID sent from said terminal is not the same as the newest configuration information ID which is stored in said storing part (i.e. receives latest information; col. 19, lines 30-41); and

wherein said first obtaining part obtains configuration information sent in response to said instruction (col. 9, lines 48-67).

15. As to claim 14, Sitaraman et al. teach computer readable medium controlling a computer used for maintanence of terminals connected to a network, by:

obtaining configuration information of hardware and software of terminals sent from said terminals (i.e. user information; col. 9, lines 57-67); and

storing said obtained configuration information of hardware and software (col. 9, lines 48-67); and

accessing said stored configuration information of hardware and software and bringing same into correspondence with generation information (i.e. database for the system; col. 9, lines 48-67).

Sitaraman et al. do not teach further obtaining configuration information of hardware and software of a failed terminal which is associated with failure information which is sent from said failed terminal, or, further obtaining configuration information of hardware and software of said failed terminal by identifying the newest stored configuration information of hardware and software of said failed terminal. Opoczynski teachs further obtaining configuration information of hardware and software of a failed terminal which is associated with failure information which is sent from said failed terminal, or, further obtaining configuration information of hardware and software of said failed terminal by identifying the newest stored configuration information of hardware and software of said failed terminal (abstract; col. 4, line 44 – col. 5, line 5). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Sitaraman et al. and Opoczynski because that would initiate facility and maintenance procedures (col. 2, lines 40-58).

Neither Sitaraman et al. nor Opoczynski teach extracting difference information between configuration information obtained by said further obtaining. Tonelli et al. teach extracting difference information between configuration information obtained by said further obtaining (col. 22, lines 8-29; col. 4, lines 28-45). However, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Sitaraman et al. and Opoczynski with Tonelli et al. because that would provide addition or removal of information from configurations for design purpose (col. 2, lines 50-59).

Allowable Subject Matter

16. Claims 6, 7, 12, and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

17. Applicant's arguments filed January 12, 2005 have been fully considered but they are not persuasive.

18. The examiner disagrees with the applicants' assertion reference Sitaraman et al. do not teach configuration information of hardware and software. The examiner would like to point to col. 9, lines 56-67, where Sitaraman et al. teach IP address and user table or user profile. Here, IP address is considered to be hardware configuration as it distinguishes a specific computer (i.e. hardware) from another computer or node in a network. Further, user table or user profile contains various software configuration information. Therefore, Sitaraman et al. teach configuration information for both hardware and software. As to generation part and distribution part, these are inherent features related to the maintenance of a system such as Sitaraman et al. (i.e. IP address management). Dynamic Ip addresses as taught in Sitaraman et al. must be generated and then distributed to the terminals to distinguish one from another.

After considering the above facts, the examiner retains the rejection of the previously rejected claims.

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad O. Farooq whose telephone number is (571) 272-4144. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Mohammad O. Farooq
March 29, 2005